

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BECTON, DICKINSON AND COMPANY,
GENEOHM SCIENCES CANADA, INC.
and HANDYLAB, INC.,

Plaintiffs,

v.

NEUMODX MOLECULAR, INC.,
QIAGEN GMBH, QIAGEN NORTH and
AMERICAN HOLDINGS, INC.,

Defendants.

C.A. No. 19-1126-LPS

DEMAND FOR JURY TRIAL

QIAGEN'S ANSWER TO PLAINTIFFS' COUNTERCLAIMS-IN-REPLY

Defendants Qiagen GmbH and Qiagen North American Holdings, Inc. ("Qiagen NA") (Qiagen GmbH, and Qiagen NA shall be referred to herein jointly as "Qiagen" answer Plaintiffs Becton, Dickinson and Company, GeneOhm Sciences Canada, Inc. (jointly "BD"), and HandyLab, Inc.'s ("HandyLab" and collectively with BD, "Plaintiffs") Counterclaims-in-Reply as follows:

1. Qiagen incorporates paragraphs 1-9 of its Answer to Plaintiffs' Second Amended Complaint (D.I. 191) as though fully set forth herein.

2. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 2, and therefore denies them leaving Plaintiffs to their proofs.

3. Qiagen admits that Brahmasandra was employed by NeuMoDx (or its predecessor Molecular Systems Corp.) during some timeframe where he held management positions. Qiagen is without knowledge sufficient to form a belief as to the truth of the remaining allegations in paragraph 3, and therefore denies them leaving Plaintiffs to their proofs.

4. Qiagen is without knowledge sufficient to form a belief as to the truth of the

allegations in paragraph 4, and therefore denies them leaving Plaintiffs to their proofs.

5. Qiagen admits that Williams was employed by NeuMoDx (or its predecessor Molecular Systems Corp.) during some timeframe where he held management positions. Qiagen is without knowledge sufficient to form a belief as to the truth of the remaining allegations in paragraph 5, and therefore denies them leaving Plaintiffs to their proofs.

6. No response is necessary for this statement.

7. Qiagen incorporates paragraphs 50-66 of its Answer to Plaintiffs' Second Amended Complaint (D.I. 191) as though fully set forth herein.

8. Plaintiffs have not asserted any counterclaims against Qiagen for misappropriation of trade secrets under the Defend Trade Secrets Act and therefore no response from Qiagen is required. To the extent a response is required of Qiagen, Plaintiffs' pleading insofar as it concerns Qiagen is ambiguous and not amenable to an admission or denial. Qiagen therefore denies the allegations in paragraph 8 on the basis that it lacks sufficient information to understand and form a belief as to the truth of the allegations.

9. Plaintiffs have asserted only Count 12 against Qiagen in their counterclaim in reply and, with respect to that claim only, Qiagen does not dispute supplemental jurisdiction. To the extent a response is required of Qiagen with respect to any other Count in Plaintiffs' counterclaim in reply, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 9, and therefore denies them leaving Plaintiffs to their proofs.

10. The allegations in Paragraph 10 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 10, and therefore denies them leaving Plaintiffs to their proofs.

11. Admitted that NeuMoDx filed counterclaims in this district and that NeuMoDx is a Delaware corporation. The remaining allegations in Paragraph 10 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 10, and therefore denies them leaving Plaintiffs to their proofs.

12. Qiagen incorporates paragraphs 1-189 of its Answer to Plaintiffs' Second Amended Complaint (D.I. 191) as though fully set forth herein.

13. The allegations in Paragraph 13 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 13, and therefore denies them leaving Plaintiffs to their proofs.

14. The allegations in Paragraph 14 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 14, and therefore denies them leaving Plaintiffs to their proofs.

15. The allegations in Paragraph 15 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 15, and therefore denies them leaving Plaintiffs to their proofs.

16. The allegations in Paragraph 16 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 16, and therefore denies them leaving Plaintiffs to their proofs.

17. The allegations in Paragraph 17 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 17, and therefore denies them leaving Plaintiffs to their proofs.

18. The allegations in Paragraph 18 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 18, and therefore denies them leaving Plaintiffs to their proofs.

19. The allegations in Paragraph 19 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 19, and therefore denies them leaving Plaintiffs to their proofs.

20. The allegations in Paragraph 20 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 20, and therefore denies them leaving Plaintiffs to their proofs.

21. The allegations in Paragraph 21 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 21, and therefore denies them leaving Plaintiffs to their proofs.

22. The allegations in Paragraph 22 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 22, and

therefore denies them leaving Plaintiffs to their proofs.

23. The allegations in Paragraph 23 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 23, and therefore denies them leaving Plaintiffs to their proofs.

24. The allegations in Paragraph 24 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 24, and therefore denies them leaving Plaintiffs to their proofs.

25. The allegations in Paragraph 25 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 25, and therefore denies them leaving Plaintiffs to their proofs.

26. Qiagen admits that Williams was employed by NeuMoDx and that NeuMoDx was previously named Molecular Systems Corp.; otherwise, Qiagen is without knowledge sufficient to form a belief as to the truth of the rest of the allegations in paragraph 26, and therefore denies them leaving Plaintiffs to their proofs.

27. The allegations in Paragraph 27 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 27, and therefore denies them leaving Plaintiffs to their proofs.

28. The allegations in Paragraph 28 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without

knowledge sufficient to form a belief as to the truth of the allegations in paragraph 28, and therefore denies them leaving Plaintiffs to their proofs.

29. The allegations in Paragraph 29 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 29, and therefore denies them leaving Plaintiffs to their proofs.

30. The allegations in Paragraph 30 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 30, and therefore denies them leaving Plaintiffs to their proofs.

31. The allegations in Paragraph 31 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 31, and therefore denies them leaving Plaintiffs to their proofs.

32. The allegations in Paragraph 32 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 32, and therefore denies them leaving Plaintiffs to their proofs.

33. The allegations in Paragraph 33 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 33, and therefore denies them leaving Plaintiffs to their proofs.

34. The allegations in Paragraph 34 are directed to defendant(s) other than Qiagen

and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 34, and therefore denies them leaving Plaintiffs to their proofs.

35. The allegations in Paragraph 35 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 35, and therefore denies them leaving Plaintiffs to their proofs.

36. The allegations in Paragraph 36 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 36, and therefore denies them leaving Plaintiffs to their proofs.

37. The allegations in Paragraph 37 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 37, and therefore denies them leaving Plaintiffs to their proofs.

38. The allegations in Paragraph 38 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 38, and therefore denies them leaving Plaintiffs to their proofs.

39. The allegations in Paragraph 39 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 39, and therefore denies them leaving Plaintiffs to their proofs.

40. The allegations in Paragraph 40 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 40, and therefore denies them leaving Plaintiffs to their proofs.

41. The allegations in Paragraph 41 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 41, and therefore denies them leaving Plaintiffs to their proofs.

42. The allegations in Paragraph 42 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 42, and therefore denies them leaving Plaintiffs to their proofs.

43. The allegations in Paragraph 43 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 43, and therefore denies them leaving Plaintiffs to their proofs.

44. The allegations in Paragraph 44 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 44, and therefore denies them leaving Plaintiffs to their proofs.

45. The allegations in Paragraph 45 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 45, and

therefore denies them leaving Plaintiffs to their proofs.

46. The allegations in Paragraph 46 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 46, and therefore denies them leaving Plaintiffs to their proofs.

47. The allegations in Paragraph 47 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 47, and therefore denies them leaving Plaintiffs to their proofs.

48. The allegations in Paragraph 48 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 48, and therefore denies them leaving Plaintiffs to their proofs.

49. The allegations in Paragraph 49 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 49, and therefore denies them leaving Plaintiffs to their proofs.

50. The allegations in Paragraph 50 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 50, and therefore denies them leaving Plaintiffs to their proofs.

51. The allegations in Paragraph 51 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without

knowledge sufficient to form a belief as to the truth of the allegations in paragraph 51, and therefore denies them leaving Plaintiffs to their proofs.

52. The allegations in Paragraph 52 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, based on information currently available, Qiagen admits the allegations in paragraph 52.

53. The allegations in Paragraph 53 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 53, and therefore denies them leaving Plaintiffs to their proofs.

54. The allegations in Paragraph 54 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen admits that Plaintiffs granted Brahmasandra a waiver of his non-compete provision. Qiagen is without knowledge sufficient to form a belief as to the truth of the remaining allegations in paragraph 54, and therefore denies them leaving Plaintiffs to their proofs.

55. The allegations in Paragraph 55 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 55, and therefore denies them leaving Plaintiffs to their proofs.

56. The allegations in Paragraph 56 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 56, and therefore denies them leaving Plaintiffs to their proofs.

57. The allegations in Paragraph 57 are directed to defendant(s) other than Qiagen and

no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 57, and therefore denies them leaving Plaintiffs to their proofs.

58. The allegations in Paragraph 58 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 58, and therefore denies them leaving Plaintiffs to their proofs.

59. The allegations in Paragraph 59 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 59, and therefore denies them leaving Plaintiffs to their proofs.

60. The allegations in Paragraph 60 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 60, and therefore denies them leaving Plaintiffs to their proofs.

61. The allegations in Paragraph 61 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 61, and therefore denies them leaving Plaintiffs to their proofs.

62. The allegations in Paragraph 62 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 62, and therefore denies them leaving Plaintiffs to their proofs.

63. The allegations in Paragraph 63 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 63, and therefore denies them leaving Plaintiffs to their proofs.

64. The allegations in Paragraph 64 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 64, and therefore denies them leaving Plaintiffs to their proofs.

65. The allegations in Paragraph 65 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 65, and therefore denies them leaving Plaintiffs to their proofs.

66. The allegations in Paragraph 66 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 66, and therefore denies them leaving Plaintiffs to their proofs.

67. The allegations in Paragraph 67 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 67, and therefore denies them leaving Plaintiffs to their proofs.

68. The allegations in Paragraph 68 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 68, and

therefore denies them leaving Plaintiffs to their proofs.

69. The allegations in Paragraph 69 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 69, and therefore denies them leaving Plaintiffs to their proofs.

70. The allegations in Paragraph 70 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 70, and therefore denies them leaving Plaintiffs to their proofs.

71. The allegations in Paragraph 71 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 71, and therefore denies them leaving Plaintiffs to their proofs.

72. The allegations in Paragraph 72 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 72, and therefore denies them leaving Plaintiffs to their proofs.

73. The allegations in Paragraph 73 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 73, and therefore denies them leaving Plaintiffs to their proofs.

74. The allegations in Paragraph 74 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without

knowledge sufficient to form a belief as to the truth of the allegations in paragraph 74, and therefore denies them leaving Plaintiffs to their proofs.

75. The allegations in Paragraph 75 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 75, and therefore denies them leaving Plaintiffs to their proofs.

76. The allegations in Paragraph 76 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 76, and therefore denies them leaving Plaintiffs to their proofs.

77. The allegations in Paragraph 77 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 77, and therefore denies them leaving Plaintiffs to their proofs.

78. The allegations in Paragraph 78 are directed to defendant(s) other than Qiagen and no response from Qiagen is required. To the extent a response is required, Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 78, and therefore denies them leaving Plaintiffs to their proofs.

79. No response is necessary for this statement.

FIRST COUNTERCLAIM-IN-REPLY

80. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

81. The allegations in paragraph 81 are directed at NeuMoDx, Sundaresh

Brahmasandra (“Brahmasandra”) and Jeffrey Williams (“Williams”). Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 81, and therefore deny same leaving Plaintiffs to their proofs.

82. The allegations in paragraph 82 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 82, and therefore deny same leaving Plaintiffs to their proofs.

83. The allegations in paragraph 83 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 83, and therefore deny same leaving Plaintiffs to their proofs.

84. The allegations in paragraph 84 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 84, and therefore deny same leaving Plaintiffs to their proofs.

85. The allegations in paragraph 85 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 85, and therefore deny same leaving Plaintiffs to their proofs.

86. The allegations in paragraph 86 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 86, and therefore deny same leaving Plaintiffs to their proofs.

87. The allegations in paragraph 87 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 87, and therefore deny same leaving Plaintiffs to their proofs.

88. The allegations in paragraph 88 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the

allegations in paragraph 88, and therefore deny same leaving Plaintiffs to their proofs.

89. The allegations in paragraph 89 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 89, and therefore deny same leaving Plaintiffs to their proofs.

90. The allegations in paragraph 90 are directed at NeuMoDx, Sundaresh Brahmasandra (“Brahmasandra”) and Jeffrey Williams (“Williams”). Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 90, and therefore deny same leaving Plaintiffs to their proofs.

91. The allegations in paragraph 91 are directed at NeuMoDx, Sundaresh Brahmasandra (“Brahmasandra”) and Jeffrey Williams (“Williams”). Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 91, and therefore deny same leaving Plaintiffs to their proofs.

SECOND COUNTERCLAIM-IN-REPLY

92. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

93. The allegations in paragraph 93 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 93, and therefore deny same leaving Plaintiffs to their proofs.

94. The allegations in paragraph 94 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 94, and therefore deny same leaving Plaintiffs to their proofs.

95. The allegations in paragraph 95 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the

allegations in paragraph 95, and therefore deny same leaving Plaintiffs to their proofs.

96. The allegations in paragraph 96 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 96, and therefore deny same leaving Plaintiffs to their proofs.

97. The allegations in paragraph 97 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 97, and therefore deny same leaving Plaintiffs to their proofs.

98. The allegations in paragraph 98 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 98, and therefore deny same leaving Plaintiffs to their proofs.

99. The allegations in paragraph 99 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 99, and therefore deny same leaving Plaintiffs to their proofs.

100. The allegations in paragraph 100 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 100, and therefore deny same leaving Plaintiffs to their proofs.

101. The allegations in paragraph 101 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 101, and therefore deny same leaving Plaintiffs to their proofs.

102. The allegations in paragraph 102 are directed at NeuMoDx, Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 102, and therefore deny same leaving Plaintiffs to their proofs.

THIRD COUNTERCLAIM-IN-REPLY

103. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

104. The allegations in paragraph 104 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 104, and therefore deny same leaving Plaintiffs to their proofs.

105. The allegations in paragraph 105 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 105, and therefore deny same leaving Plaintiffs to their proofs.

106. The allegations in paragraph 106 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 106, and therefore deny same leaving Plaintiffs to their proofs.

107. The allegations in paragraph 107 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 107, and therefore deny same leaving Plaintiffs to their proofs.

FOURTH COUNTERCLAIM-IN-REPLY

108. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

109. The allegations in paragraph 109 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 109, and therefore deny same leaving Plaintiffs to their proofs.

110. The allegations in paragraph 110 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 110, and

therefore deny same leaving Plaintiffs to their proofs.

111. The allegations in paragraph 111 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 111, and therefore deny same leaving Plaintiffs to their proofs.

112. The allegations in paragraph 112 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 112, and therefore deny same leaving Plaintiffs to their proofs.

113. The allegations in paragraph 113 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 113, and therefore deny same leaving Plaintiffs to their proofs.

FIFTH COUNTERCLAIM-IN-REPLY

114. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

115. The allegations in paragraph 115 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 115, and therefore deny same leaving Plaintiffs to their proofs.

116. The allegations in paragraph 116 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 116, and therefore deny same leaving Plaintiffs to their proofs.

117. The allegations in paragraph 117 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 117, and therefore deny same leaving Plaintiffs to their proofs.

118. The allegations in paragraph 118 are directed at NeuMoDx. Qiagen is without

knowledge sufficient to form a belief as to the truth of the allegations in paragraph 118, and therefore deny same leaving Plaintiffs to their proofs.

119. The allegations in paragraph 119 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 119, and therefore deny same leaving Plaintiffs to their proofs.

120. The allegations in paragraph 120 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 120, and therefore deny same leaving Plaintiffs to their proofs.

121. The allegations in paragraph 121 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 121, and therefore deny same leaving Plaintiffs to their proofs.

122. The allegations in paragraph 122 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 122, and therefore deny same leaving Plaintiffs to their proofs.

SIXTH COUNTERCLAIM-IN-REPLY

123. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

124. The allegations in paragraph 124 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 124, and therefore deny same leaving Plaintiffs to their proofs.

125. The allegations in paragraph 125 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 125, and therefore deny same leaving Plaintiffs to their proofs.

SEVENTH COUNTERCLAIM-IN-REPLY

126. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

127. The allegations in paragraph 127 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 127, and therefore deny same leaving Plaintiffs to their proofs.

128. The allegations in paragraph 128 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 128, and therefore deny same leaving Plaintiffs to their proofs.

129. The allegations in paragraph 129 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 129, and therefore deny same leaving Plaintiffs to their proofs.

130. The allegations in paragraph 130 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 130, and therefore deny same leaving Plaintiffs to their proofs.

131. The allegations in paragraph 131 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 131, and therefore deny same leaving Plaintiffs to their proofs.

132. The allegations in paragraph 132 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 132, and therefore deny same leaving Plaintiffs to their proofs.

133. The allegations in paragraph 133 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in

paragraph 133, and therefore deny same leaving Plaintiffs to their proofs.

EIGHTH COUNTERCLAIM-IN-REPLY

134. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

135. The allegations in paragraph 135 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 135, and therefore deny same leaving Plaintiffs to their proofs.

136. The allegations in paragraph 136 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 136, and therefore deny same leaving Plaintiffs to their proofs.

137. The allegations in paragraph 137 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 137, and therefore deny same leaving Plaintiffs to their proofs.

138. The allegations in paragraph 138 are directed at Brahmasandra and Williams. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 138, and therefore deny same leaving Plaintiffs to their proofs.

NINTH COUNTERCLAIM-IN-REPLY

139. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

140. The allegations in paragraph 140 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 140, and therefore deny same leaving Plaintiffs to their proofs.

141. The allegations in paragraph 141 are directed at Brahmasandra. Qiagen is without

knowledge sufficient to form a belief as to the truth of the allegations in paragraph 141, and therefore deny same leaving Plaintiffs to their proofs.

142. The allegations in paragraph 142 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 142, and therefore deny same leaving Plaintiffs to their proofs.

143. The allegations in paragraph 143 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 143, and therefore deny same leaving Plaintiffs to their proofs.

TENTH COUNTERCLAIM-IN-REPLY

144. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

145. The allegations in paragraph 145 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 145, and therefore deny same leaving Plaintiffs to their proofs.

146. The allegations in paragraph 146 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 146, and therefore deny same leaving Plaintiffs to their proofs.

147. The allegations in paragraph 147 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 147, and therefore deny same leaving Plaintiffs to their proofs.

148. The allegations in paragraph 148 are directed at Brahmasandra. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 148, and therefore deny same leaving Plaintiffs to their proofs.

ELEVENTH COUNTERCLAIM-IN-REPLY

149. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

150. The allegations in paragraph 150 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 150, and therefore deny same leaving Plaintiffs to their proofs.

151. The allegations in paragraph 151 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 151, and therefore deny same leaving Plaintiffs to their proofs.

152. The allegations in paragraph 152 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 152, and therefore deny same leaving Plaintiffs to their proofs.

153. The allegations in paragraph 153 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 153, and therefore deny same leaving Plaintiffs to their proofs.

154. The allegations in paragraph 154 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 154, and therefore deny same leaving Plaintiffs to their proofs.

155. The allegations in paragraph 155 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 155, and therefore deny same leaving Plaintiffs to their proofs.

156. The allegations in paragraph 156 are directed at NeuMoDx. Qiagen is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 156, and

therefore deny same leaving Plaintiffs to their proofs.

TWELFTH COUNTERCLAIM-IN-REPLY

157. Qiagen incorporates each responsive paragraph above and below as though fully set forth herein.

158. Admitted that HandyLab entered into a valid and enforceable contract with Qiagen, namely the Qiagen-HandyLab Agreement entered on May 21, 2008 and amended on July 1, 2009. Otherwise, denied.

159. Qiagen performed under the Qiagen-HandyLab Agreement; otherwise, denied.

160. Denied.

161. Denied.

PRAYER FOR RELIEF

Qiagen denies the Plaintiffs are entitled to any of their prayer for relief (a)-(r).

Dated: May 13, 2021

Respectfully submitted,

FARNAN LLP

Of Counsel:

Alan G. Carlson
Gary J. Speier
Samuel T. Lockner
Jonathan D. Carpenter
Alexandra J. Olson
Peter M. Kohlhepp
CARLSON, CASPERS, VANDENBURGH &
LINDQUIST, P.A.
225 South Sixth Street, Suite 4200
Minneapolis, MN 55402
Telephone: (612) 436-9600
Facsimile: (612) 436-9605

/s/ Brian E. Farnan
Brian E. Farnan (Bar No. 4089)
Michael J. Farnan (Bar No. 5165)
919 N. Market Str., 12th Floor
Wilmington, DE 19801
Tel: (302) 777-0300
Fax: (302) 777-0301
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

*Attorneys for Defendants Qiagen GmbH
and Qiagen North American Holdings, Inc.*